THE BOMBAY LOCAL BOARDS ACT, 1923 (BOM. VI OF 1923).

G. N., G. D., No. 7830, dated 12th July 1935 (B. G., Pt. IV, p. 622). S. 38-A (1).

Whereas in the opinion of the Government of Bombay it is in the interest of the inhabitants of the talukas mentioned in column 2 of the Schedule hereto annexed that the taluka local boards mentioned in column 3 of the said Schedule should be abolished;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 38-A of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay are hereby pleased to direct that the said taluka local boards shall be abolished with effect from 1st October 1935 :—

Schedule.

Names of Districts.	Names of Talukas.	Names of taluka local boards.
1	2	3
Sholapur ...	(1) Sholapur ...	Taluka Local Board, Sholapur.
	(2) Barsi ...	Taluka Local Board, Barsi.
	(3) Madha ...	Taluka Local Board, Madha.
	(4) Karmala ...	Taluka Local Board, Karmala.
	(5) Pandharpur ...	Taluka Local Board, Pandharpur.
	(6) Malsiras ...	Taluka Local Board, Malsiras.
Surat ...	(1) Chorasi ...	Taluka Local Board, Chorasi.
	(2) Olpad ...	Taluka Local Board, Olpad.
	(3) Bardoli ...	Taluka Local Board, Bardoli.
	(4) Mandvi ...	Taluka Local Board, Mandvi.
	(5) Jalalpore ...	Taluka Local Board, Jalalpore.
	(6) Chikhli ...	Taluka Local Board, Chikhli.
	(7) Bulsar ...	Taluka Local Board, Bulsar.
Belgaum ...	(1) Belgaum ...	Taluka Local Board, Belgaum.
	(2) Chikodi ...	Taluka Local Board, Chikodi.
	(3) Hukeri ...	Taluka Local Board, Hukeri.
	(4) Athni ...	Taluka Local Board, Athni.
	(5) Gokak ...	Taluka Local Board, Gokak.
	(6) Parasgad ...	Taluka Local Board, Parasgad.
	(7) Sampgaon ...	Taluka Local Board, Sampgaon.
	(8) Khanapur ...	Taluka Local Board, Khanapur.
Karachi ...	(1) Karachi ..	Taluka Local Board, Karachi.
	(2) Tatta ..	Taluka Local Board, Tatta.
	(3) Ghorabari ..	Taluka Local Board, Ghorabari.
	(4) Mirpur Sakro ..	Taluka Local Board, Mirpur Sakro.
	(5) Shah Bunder ..	Taluka Local Board, Shah Bunder.
	(6) Jati ..	Taluka Local Board, Jati.
	(7) Mirpur Bathoro ..	Taluka Local Board, Mirpur Bathoro.
	(8) Sujawal ..	Taluka Local Board, Sujawal.
Hyderabad ...	(1) Hyderabad ..	Taluka Local Board, Hyderabad.
	(2) Hala ..	Taluka Local Board, Hala.
	(3) Tando Allahyar ..	Taluka Local Board, Tando Allahyar.
	(4) Guni ..	Taluka Local Board, Guni.
	(5) Badin ..	Taluka Local Board, Badin.
	(6) Tando Bago ..	Taluka Local Board, Tando Bago.
	(7) Dero Mohbat ..	Taluka Local Board, Dero Mohbat.

S. 38-A (1). **G. N., G. D., No. 7830, dated 23rd February 1938 (B. G., Pt. I-A, pp. 132-134).**

Whereas in the opinion of the Government of Bombay it is in the interest of the inhabitants of the talukas or petas mentioned in column 2 of the Schedule hereto annexed that the taluka local boards mentioned in column 3 of the said Schedule should be abolished ;

Now, therefore, in exercise of the powers conferred by sub-section (*1*) of section 38-A of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay are hereby pleased to direct that the said taluka local boards shall be abolished with effect from 1st April 1938 :—

Schedule.

Names of Districts.	Names of Talukas or Petas.	Names of Taluka Local Boards.
1	2	3
Ahmedabad ..	(1) North Daskroi ..	Taluka Local Board, North Daskroi.
	(2) South Daskroi ..	Taluka Local Board, South Daskroi.
	(3) Prantij	Taluka Local Board, Prantij.
	(4) Modasa ..	Taluka Local Board, Modasa.
	(5) Sanand ..	Taluka Local Board, Sanand.
	(6) Dholka ..	Taluka Local Board, Dholka.
	(7) Viramgaon ..	Taluka Local Board, Viramgaon.
	(8) Dhanduka ..	Taluka Local Board, Dhanduka.
	(9) Gogha ..	Taluka Local Board, Gogha.
Kaira ..	(1) Mehmedabad ..	Taluka Local Board, Mehmedabad.
	(2) Matar ..	Taluka Local Board, Matar.
	(3) Thasra ..	Taluka Local Board, Thasra.
	(4) Kapadvanj ..	Taluka Local Board, Kapadvanj.
	(5) Nadiad ..	Taluka Local Board, Nadiad.
	(6) Anand ..	Taluka Local Board, Anand.
	(7) Borsad ..	Taluka Local Board, Borsad.
Broach and Panch Mahals.	(1) Dohad ..	Taluka Local Board, Dohad.
	(2) Godhra ..	Taluka Local Board, Godhra.
	(3) Kalol ..	Taluka Local Board, Kalol.
	(4) Ankleshwar ..	Taluka Local Board, Ankleshwar.
	(5) Broach ..	Taluka Local Board, Broach.
	(6) Jambusar ..	Taluka Local Board, Jambusar.
	(7) Wagra ..	Taluka Local Board, Wagra.

Names of Districts.	Names of Talukas or Petas.	Names of Taluka Local Boards.
1	2	3
Thana ..	(1) North Salsette ..	Taluka Local Board, North Salsette.
	(2) Dahanu ..	Taluka Local Board, Dahanu.
	(3) Umbergaon ..	Taluka Local Board, Umbergaon.
	(4) Palghar ..	Taluka Local Board, Palghar.
	(5) Vada ..	Taluka Local Board, Vada.
	(6) Shahapur ..	Taluka Local Board, Shahapur
	(7) Murbad ..	Taluka Local Board, Murbad.
	(8) Kalyan ..	Taluka Local Board, Kalyan.
	(9) Bhiwandi ..	Taluka Local Board, Bhiwandi.
	(10) Bassein ..	Taluka Local Board, Bassein.
Ahmednagar ..	(1) Akola ..	Taluka Local Board, Akola.
	(2) Karjat ..	Taluka Local Board, Karjat.
	(3) Kopergaon ..	Taluka Local Board, Kopergaon.
	(4) Nevasa ..	Taluka Local Board, Nevasa.
	(5) Nagar ..	Taluka Local Board, Nagar.
	(6) Parner ..	Taluka Local Board, Parner.
	(7) Rahuri ..	Taluka Local Board, Rahuri.
	(8) Sangamner ..	Taluka Local Board, Sangamner.
	(9) Shevgaon ..	Taluka Local Board, Shevgaon.
	(10) Shirgonda ..	Taluka Local Board, Shirgonda.
East Khandesh ..	(1) Raver ..	Taluka Local Board, Raver.
	(2) Yaval ..	Taluka Local Board, Yaval.
	(3) Bhusawal ..	Taluka Local Board, Bhusawal.
	(4) Jalgaon ..	Taluka Local Board, Jalgaon.
	(5) Amalner ..	Taluka Local Board, Amalner.
	(6) Erandol ..	Taluka Local Board, Erandol.
	(7) Chopda ..	Taluka Local Board, Chopda.
	(8) Parola ..	Taluka Local Board, Parola.
	(9) Chalisgaon ..	Taluka Local Board, Chalisgaon.
	(10) Pachora ..	Taluka Local Board, Pachora.
	(11) Jamner ..	Taluka Local Board, Jamner.

Names of Districts.	Names of Talukas or Petas.	Names of Taluka Local Boards.
1	2	3
West Khandesh ..	(1) Dhulia ..	Taluka Local Board, Dhulia.
	(2) Sindkheda ..	Taluka Local Board, Sindkheda.
	(3) Shirpur ..	Taluka Local Board, Shirpur.
	(4) Sakri ..	Taluka Local Board, Sakri.
	(5) Nandurbar ..	Taluka Local Board, Nandurbar
	(6) Taloda ..	Taluka Local Board, Taloda.
	(7) Shahada ..	Taluka Local Board, Shahada.
	(8) Nawapur ..	Taluka Local Board, Nawapur.
Nasik ..	(1) Nasik ..	Taluka Local Board, Nasik.
	(2) Sinnar ..	Taluka Local Board, Sinnar.
	(3) Igatpuri ..	Taluka Local Board, Igatpuri.
	(4) Dindori ..	Taluka Local Board, Dindori.
	(5) Niphad ..	Taluka Local Board, Niphad.
	(6) Yeola ..	Taluka Local Board, Yeola.
	(7) Malegaon ..	Taluka Local Board, Malegaon.
	(8) Nandgaon ..	Taluka Local Board, Nandgaon.
	(9) Baglan ..	Taluka Local Board, Baglan.
	(10) Kalvan ..	Taluka Local Board, Kalvan.
	(11) Peint ..	Taluka Local Board, Peint.
	(12) Chandor ..	Taluka Local Board, Chandor.
Poona ..	(1) Junnar ..	Taluka Local Board, Junnar.
	(2) Indapur ..	Taluka Local Board, Indapur.
	(3) Khed ..	Taluka Local Board, Khed.
	(4) Sirur ..	Taluka Local Board, Sirur.
	(5) Purandhar ..	Taluka Local Board, Purandhar.
	(6) Bhimthadi ..	Taluka Local Board, Bhimthadi.
	(7) Haveli ..	Taluka Local Board, Haveli.
	(8) Mawal ..	Taluka Local Board, Mawal.
Satara ..	(1) Karad ..	Taluka Local Board, Karad.
	(2) Walva ..	Taluka Local Board, Walva.
	(3) Satara ..	Taluka Local Board, Satara.

Names of Districts.	Names of Talukas or Petas.	Names of Taluka Local Boards.
1	2	3
Satara—*contd.* ..	(4) Wai ..	Taluka Local Board, Wai.
	(5) Javli ..	Taluka Local Board, Javli.
	(6) Khanapur ..	Taluka Local Board, Khanapur.
	(7) Koregaon ..	Taluka Local Board, Koregaon.
	(8) Man ..	Taluka Local Board Man.
	(9) Patan ..	Taluka Local Board, Patan.
	(10) Khatav ..	Taluka Local Board, Khatav.
	(11) Tasgaon ..	Taluka Local Board, Tasgaon.
Bijapur ..	(1) Indi ..	Taluka Local Board, Indi.
	(2) Sindgi ..	Taluka Local Board, Sindgi.
	(3) Bijapur ..	Taluka Local Board, Bijapur.
	(4) Bagewadi ..	Taluka Local Board, Begewadi
	(5) Muddebihal ..	Taluka Local Board, Muddebihal.
	(6) Bagalkot ..	Taluka Local Board, Bagalkot.
	(7) Badami ..	Taluka Local Board, Badami.
	(8) Hungund ..	Taluka Local Board, Hungund.
Dharwar	(1) Dharwar ..	Taluka Local Board, Dharwar.
	(2) Hubli ..	Taluka Local Board, Hubli.
	(3) Navalgund ..	Taluka Local Board, Navalgund.
	(4) Gadag ..	Taluka Local Board, Gadag.
	(5) Bankapur ..	Taluka Local Board, Bankapur.
	(6) Ranebennur ..	Taluka Local Board, Ranebennur.
	(7) Hangal ..	Taluka Local Board, Hangal.
	(8) Karajgi ..	Taluka Local Board, Karajgi.
	(9) Kalghatgi ..	Taluka Local Board, Kalghatgi.
	(10) Kod ..	Taluka Local Board, Kod.
	(11) Ron ..	Taluka Local Board, Ron.
Kanara ..	(1) Karwar ..	Taluka Local Board, Karwar.
	(2) Ankola ..	Taluka Local Board, Ankola.
	(3) Kumta ..	Taluka Local Board, Kumta.
	(4) Honawar ..	Taluka Local Board, Honavar.
	(5) Siddapur ..	Taluka Local Board, Siddapur.

Names of Districts.	Names of Taluka or Petas.	Names of Taluka Local Boards.
1	2	3
Kanara—*contd.* ...	(6) Sirsi ..	Taluka Local Board, Sirsi.
	(7) Yellapur ..	Taluka Local Board, Yellapur.
	(8) Haliyal ..	Taluka Local Board, Haliyal.
	(9) Supa ..	Taluka Local Board, Supa.
Kolaba ..	(1) Alibag ..	Taluka Local Board, Alibag.
	(2) Pen ..	Taluka Local Board, Pen.
	(3) Panvel ..	Taluka Local Board, Panvel.
	(4) Karjat ..	Taluka Local Board, Karjat.
	(5) Roha ..	Taluka Local Board, Roha.
	(6) Mangaon ..	Taluka Local Board, Mangaon.
	(7) Mahad ..	Taluka Local Board, Mahad.
Ratnagiri ..	(1) Dapoli ..	Taluka Local Board, Dapoli.
	(2) Khed ..	Taluka Local Board, Khed.
	(3) Chiplun ..	Taluka Local Board, Chiplun.
	(4) Sangameshwar ..	Taluka Local Board, Sangameshwar.
	(5) Ratnagiri ..	Taluka Local Board, Ratnagiri.
	(6) Rajapur ..	Taluka Local Board, Rajapur.
	(7) Deogad ..	Taluka Local Board, Deogad.
	(8) Malwan ..	Taluka Local Board, Malwan.
	(9) Vengurla ..	Taluka Local Board, Vengurla.

S. 80A **G. N., G. D., No. 7398, dated 28th November 1933 (B. G., Pt. I-A, p. 348).**

In exercise of the powers conferred by section 80-A of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased to notify that the districts, mentioned in column 1 of the schedule hereto annexed, shall be the districts in which one-third of the net proceeds of the cess levied therein on and after the 1st December 1933 under section 95 of the said Act shall be utilized towards the improvement of communications in the irrigated tracts specified in column 2 thereof against the name of each district :—

Schedule.

Name of the district.	Irrigated tracts.
1	2
Ahmednagar	Kopergaon and Rahuri Talukas.
Nasik	Niphad, Malegaon and Baglan Talukas.
Poona	Indapur and Bhimthadi Talukas.
Satara	Karad and Walwa Talukas.
Sholapur	Pandharpur, Sangola and Malsiras Talukas.

G. N., G. D., No. 4202, dated 24th October 1925 (B. G., Pt. I, p. 2795). **S. 93 (1) (a)**

In exercise of the powers conferred by clause (*a*) of sub-section (*1*) of section 93 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased to notify the receipts obtained from the sale of minor agricultural rights disposed of by the Development Department in development schemes in the Bombay Suburban District as a charge, the sums payable on account of which shall be exempt from the levy of the local fund cess.

G. N., G. D., No. 6426, dated 16th November 1925 (B. G., Pt. I, p. 2954). **S. 93 (1) (a)**

In exercise of the powers conferred by clause (*a*) of sub-section (*1*) of section 93 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased to notify the water rates levied by the Development Department under the Bombay Irrigation Act, 1879 (Bom. VII of 1879), on the water works managed by that Department, viz., the Santa Cruz and Andheri Water Supply Schemes, as charges the sums payable on account of which shall be exempt from the levy of the local fund cess.

G. N., G. D., No. 4453-A, dated 19th August 1924 (B. G., Pt. I, p. 1862). **S. 93 (1) (a)**

In exercise of the powers conferred by clause (*a*) of sub-section (*1*) of section 93 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased to notify the following charges as those, the sums payable on account of which, shall be exempt from the levy of the local fund cess, namely :—

(1) Notice fees ;

(2) Expenses of sale under section 183 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879) ; * * * * * *

(3) Proceeds from grass or grazing sold by auction from protected or other notified forest in charge of the Revenue Department which is treated as forest revenue ; and

(4) Proceeds from trees, *i.e.*, fruits, drywood, thorns and leaves, or sale of Government right in trees including toddy trees and also sale of the trees when realised by the Revenue Department from legally constituted forest.

G. N., G. D., No. 4453-B, dated 19th August 1924 (B. G., Pt. I, p. 1863). **S. 95**

In exercise of the powers conferred by section 95 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased to direct that one anna on every rupee of water-rate leviable under the provisions of the Bombay Irrigation Act, 1879 (Bom. VII of 1879), shall be levied for the purposes of the local fund.

G. N., G. D., No. 4453, dated 16th December 1925 (B. G., Pt. I, p. 3263). **S. 95**

Government are pleased to direct that the one anna cess referred to in Notification No. 4453-B, dated the 19th August 1924, is leviable on the water rate only and not on fines.

S. 95

G. N., G. D., No. 4453, dated 28th March 1928 (B. G., Pt. I, p. 600).

Government are pleased to direct that in the case of the Presidency proper a local fund cess under section 95 of the Bombay Local Boards Act, 1923, should be levied on both the water and occasional rates. * *

S. 133 (b) & (h) Bombay Local Boards Election Rules, 1932.

G. N., G. D., No. 4455, dated 25th November 1932.

Amended by G. N., G. D., No. 4445, dated 16th January 1933.
Amended by G. N., G. D., No. 9493, dated 4th January 1934.
Amended by G. N., G. D., No. 9493, dated 8th November 1935.
Amended by G. N., G. D., No. 2101/33, dated 26th March 1938.
Amended by G. N., G. D., No. 9463, dated 16th February 1939.
Amended by G. N., G. D., No. 9463, dated 14th March 1939.
Amended by G. N., G. D., No. 9463, dated 24th January 1940.
Amended by G. N., G. D., No. 9463, dated 3rd July 1941.
Amended by G. N., H. and L. G. D., No. 4455-C, dated 28th May 1948.
Amended by G. N., L. S. G. & P. H. D., No. 5928/33, dated 14th February 1950.

In exercise of the powers conferred by clauses (*b*) and (*h*) of section 133 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), and in supersession of all previous notifications on the subject, the Government of Bombay is pleased to make the following rules regulating the elections of members of local boards :—

1. *Short title.*—These rules may be called the Bombay Local Boards Election Rules, 1932.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(1) " the Act " means the Bombay Local Boards Act, 1923.

(2) " election agent " means the person appointed under rule 11 by a candidate as his agent for an election.

(2A) " reserved seat " means seat reserved for women or for any specified community or communities. All other seats shall be " unreserved seats ".

(3) " Returning Officer " means any person appointed by the Collector as Returning Officer in respect of any election or part of an election in any constituency and includes any person deputed for the time being by such returning officer with the previous sanction of the Collector to perform any of his duties.

(4) " section " means a section of the Act.

(5) " voter " means a person qualified under the provisions of the Act to vote at an election of a local board.

2-A. When in any general constituency any seat is reserved for women or for any specified community or communities, only women or persons belonging to such community or communities for whom the seat is reserved shall be qualified to be chosen to fill such seat.

3. *Preparation of list of voters.*—(1) The list of voters kept under section 11 shall be prepared separately for each village in a constituency.

(2) The name of a voter shall ordinarily be entered in the list for the village in which he actually resides.

(3) When a voter does not actually reside, but has a place of residence, in a village in a constituency, the name of such voter shall be entered in the list for the village in which he has the place of residence :

Provided if the voter has a place of residence in more than one village in a constituency, the name of such voter shall be entered in the list for the village which he may select by an application made to the Collector under section 13.

4. *Revision of list of voters.*—At the time of the publication of a list of voters under section 12, the Collector shall also publish a notice in the manner prescribed for such publication, calling upon persons claiming to be voters to make applications, to him within one month from the date of such notice for revision of the list.

5. *Polling stations.*—(1) The Collector shall select for each constituency for which elections are to be held as many polling stations as he thinks necessary for recording the votes and determine the areas for which each polling station is established, and he shall publish at the time of publication of the list of voters in accordance with rule 4, the lists showing the polling stations so selected and the polling areas for which they have respectively been selected.

(2) The villages selected under sub-rule (1) for holding election in a constituency shall not be changed within eight weeks of the date fixed for an election, except with the sanction of the Commissioner.

6. *Fixing of stages of election.*—(1) The Collector shall fix—

(*i*) the date, hour and place for each of the following stages of an election namely, (*a*) receipt of nomination papers, (*b*) scrutiny of nomination papers (*c*) counting of votes, and

(*ii*) the date and hour for the recording of votes at the polling stations :

Provided that the date for receipt of nomination papers shall not be less than six weeks before the date fixed for the election.

(2) The dates, hours and places so fixed shall not be changed within eight weeks of the date fixed for an election except with the sanction of Government :

Provided that if the Collector is of opinion that it is necessary in the public interest to change the dates, hours or places so fixed and if there is not sufficient time for obtaining the previous sanction of the State Government to such change, the Collector may, for reasons to be recorded in writing, change such dates, hours or places. In every such case,the Collector shall forthwith forward a copy of his order and the reasons so recorded to the State Government through the Commissioner.

7. *Publication of dates, hours and places of election.*—(1) At least eight weeks before the date fixed under section 17 for an election, the Collector shall cause a written notice of the date so fixed and of the dates, hours and places fixed for the various stages of the election under rules 5 and 6—

(*a*) to be posted up in some conspicuous place in the office of the district local board, in the office of the Mamlatdar or Mahalkari of the Taluka or Mahal in which the election is to be held, and in the chavdi or such other public buildings as the Collector may select in every village in the constituency for which the election is held, and

(*b*) to be published at least in one daily or weekly vernacular newspaper, if any, published in the district or taluka, as the case may be.

(2) The Collector may also cause a notice of the various stages of the election to be published in any other manner that he considers fit.

8. *Nomination papers.*—Nomination papers in the form prescribed in Schedule III shall be supplied by the Collector to any voter asking for the same.

9. *Nomination of candidates.*—(1) On or before the date and at the time fixed under rule 6 for the receipt of nomination papers, a nomination paper completed in the prescribed form shall be delivered to the Returning Officer either—

(*i*) by the candidate accompanied by his proposer and seconder, or

(*ii*) by his proposer and seconder together.

(2) A nomination paper so delivered shall be subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder.

(3) Any person whose name is registered in the list for the constituency and who is not subject to any disqualification under the Act may subscribe a nomination paper as proposer or seconder. Any such person may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled up but no more.

(4) On receipt of a nomination paper the Returning Officer shall then and there, ascertain from the proposer and seconder whether they have willingly signed it. If the Returning Officer is satisfied that either of them have not signed willingly, he shall reject the nomination paper and record thereon his reasons for rejecting it. If a nomination paper is rejected under this sub-rule, the candidate may deliver a fresh nomination paper subject to all the conditions of this rule.

10. *Deposit on nomination.*—(1) On or before the date appointed for the nomination of candidates, each candidate shall deposit or cause to be deposited with the Returning Officer a sum of one hundred rupees in cash or in Government Promissory notes of equal value at the market rate of the day :

Provided that in a constituency in which a seat or seats is or are reserved for the representatives of Harijans. the Backward tribes or women, the sum to be so deposited by or on behalf of a candidate who is a Harijan or member of a Backward tribe shall be rupees twenty. No candidate shall be deemed to be duly nominated unless the deposit referred to in this sub-rule has been made.

(2) If a candidate by whom or on whose behalf such deposit has been made withdraws his candidature in the manner and within the time specified in rule 17 or it the nomination paper of such candidate is rejected, the deposit shall be returned to the candidate or any other person who made the deposit, as the case may be, and, if any candidate dies, before the commencement of the poll, such deposit shall be returned (*a*) if made by him to his legal representative, or (*b*) if not made by the candidate to the person by whom it was made.

(3) If a candidate by whom or on whose behalf such deposit has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the State Government :

Provided that in a constituency in which a seat or seats is or are reserved for the representatives of Harijans, the Backward tribes or women, the deposit made by or on behalf of a candidate who is a Harijan or a member or a Backward tribe or a woman shall not be forfeited unless the number of votes polled by such candidate does not exceed one-half of the fraction prescribed in this sub-rule of the total number of votes polled.

(4) For the purpose of sub-rule (3) the total number of votes polled shall be deemed to be the total number of counted voting papers, other than spoilt voting papers.

(5) A deposit made under sub-rule (1), if it is not returned under sub-rule (2) or forfeited under sub-rule (3), shall be returned to the candidate or any other person who made the deposit, as the case may be, as soon after the publication of the result of the election in the *Bombay Government Gazette* as may be practicable.

11. *Election agent.*—(*i*) The appointment of an election agent by a candidate is optional. If the candidate desires to appoint an election agent he shall make a declaration signed by him to that effect in writing stating therein the name, number on the electoral roll, and address of the person so appointed, and deliver it to the Returning Officer, either at the time of delivering the nomination paper or at any time before the election. No such declaration is necessary when the candidate is himself the election agent.

(*ii*) The appointment of the election agent may be revoked by the candidate at any time by a declaration in writing signed by him and lodged with the Returning Officer. Such revocation shall operate from the death on which it is so lodged. in the event of such revocation or the death of the election agent, whether such event occurs before or during the election, the candidate may appoint another person as an election agent and declare his name. etc., in writing to the Returning Officer.

(*iii*) No person who is disqualified under the Act to be a member of the local board shall be appointed an election agent.

12. *Scrutiny of nomination papers.*—On the date appointed for the scrutiny of nomination papers the candidate, their election agents, if any, one proposer and one seconder of each candidate, and one other person duly authorised in writing by each candidate, may attend at the appointed time and place and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered at or before the time fixed under rule 6 and in the manner prescribed in rule 9.

13. *Disposal of objections : Rejection of nominations.*—(1) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he considers necessary, reject a nomination paper on any of the following grounds :—

(*i*) that the candidate is disqualified for election under the Act ;

(*ii*) that a proposer or a seconder is disqualified from subscribing a nomination paper ;

(*iii*) that there has been any failure to comply with any of the provisions of rule 9, 10 or 11 ;

(*iv*) that the candidate or a proposer or seconder is not identical with the person whose electoral number is given in the nomination paper as the number of such candidate, proposer or seconder, as the case may be ;

(*v*) that the signature of the candidate or of a proposer or seconder is not genuine or has been obtained by fraud.

(2) For the purposes of sub-rule (1)—

(*i*) the production of a certified copy of an entry made in the list of voters of any constituency shall be conclusive evidence of the right of the voters named in that entry to stand for election unless it is proved that the candidate is disqualified ;

(*ii*) where a person has subscribed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled up, those of the papers so subscribed which were first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in this rule shall be deemed to authorise the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

14. *Completion of scrutiny.*—(1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same, and, if the nomination paper is rejected, shall record a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf and no adjournment of the proceedings shall be allowed.

15. *Appeal against rejection of nomination papers.*—(1) On an application made by a candidate whose nomination paper has been rejected, the Returning Officer shall immediately grant the candidate a copy of the order rejecting the nomination paper.

(2) An appeal against the order may be made to the Collector within a week of the date of such order.

(3) If at the end of the week no appeal is made, the Collector shall forthwith inform the Returning Officer accordingly, or if an appeal is made the Collector shall communicate the result of the appeal to the Returning Officer as soon as possible.

15-A. *List of candidates duly nominated.*—On receipt of the information from the Collector that no appeal is made against the order rejecting a nomination paper or, if an appeal is made, of the communication of the result of such appeal by the Collector under sub-rule (3) of rule 15, the Returning Officer shall forthwith cause a list of duly nominated candidates, showing the symbol assigned by him to each candidate, to be prepared under his signature and to be affixed at some conspicuous place in his office or in the office of the Mamlatdar or Mahalkari, as the case may be, and at each polling station within the constituency. The Returning Officer shall also send a copy of such list to the Collector.

16. *Right to be nominated in two or more constituencies.*—When elections for two or more constituencies are to be held, one and the same person may, if he is otherwise duly qualified, be nominated as a candidate for election for each of such constituencies.

17. *Withdrawal of candidature.*—(1) At any time and at least three days before the date fixed for an election, a candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer either by the candidate or by a person authorised by him in writing in that behalf. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal.

(2) On receipt of a notice of withdrawal, the Returning Officer shall cause a copy of it to be affixed to some conspicuous place in his office and at each polling station within the constituency.

18. *Procedure at uncontested elections.*—If at any election in any constituency there are no duly nominated candidates for reserved or unreserved seats, as the case may be, or if the number of such candidates is less than the number of such seats, or if the withdrawal by a candidate of his candidature under rule 17 has the effect of rendering the number of the remaining duly nominated candidates less than the number of such seats, the Returning Officer shall forthwith report the fact to the Collector or the Commissioner, as the case may be, for taking action under sub-section (*3*) of section 18.

19. *Further procedure at uncontested elections.*—(1) If at any election in any constituency, where no seat is reserved for women or for any specified community or communities the number of duly nominated candidates is equal to or less than the number of vacancies, or if the withdrawal by a candidate of his candidature under rule 17 has the effect of rendering the number of the remaining duly nominated candidates equal to or less than the number of vacancies, all such duly nominated candidates who have not withdrawn their candidature shall be deemed to be elected, and the Returning Officer shall forthwith make an order in writing signed and dated declaring such candidates to be elected. The Returning Officer shall also cause

the order to be affixed at some conspicuous place in his office or in the office of the Mamlatdar or Mahalkari, as the case may be, and at each polling station within the constituency. The Returning Officer shall send a copy of the order to the Collector.

(2) If at any election in any constituency, where a seat is or seats are reserved for women or for any specified community or communities, if the number of candidates qualified to be chosen to fill the seat or seats so reserved is equal to or less than the number of seats so reserved or if the withdrawal by the candidate of his candidature under rule 17 has the effect of rendering the number of candidates so qualified equal to or less than the number of seats so reserved, all such duly qualified candidates who have not withdrawn their candidature shall be deemed to be elected to fill the reserved seat or seats, and the Returning Officer shall forthwith make an order in writing signed and dated declaring such candidates to be duly elected. The Returning Officer shall also cause the order to be affixed at some conspicuous place in his office or in the office of the Mamlatdar or Mahalkari, as the case may be, and at each polling station within the constituency. The Returning Officer shall send a copy of the order to the Collector.

20. *Death of candidate before poll.*—If at any election in any constituency the number of duly nominated candidates for reserved or unreserved seats, as the case may be, exceeds the number of such seats and if a candidate who was duly nominated dies after the scrutiny of nomination papers and before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, proceed in the same way as if the candidate had withdrawn his candidature under rule 17.

21. *Procedure at contested elections.*—(1) If at any election in any constituency where no seat is reserved for women or for any specified community or communities, the number of duly nominated candidates exceeds the number of vacancies, a poll shall be taken.

(2) If at any election in any constituency, where a seat is or seats are reserved for women or for any specified community or communities, and where the number of duly nominated candidates exceeds the number of vacancies, the number of candidates qualified to be chosen to fill a reserved seat or reserved seats is equal to the number of such seats, the candidate or candidates so qualified shall be declared by the Returning Officer to be elected under sub-rule (2) of rule 19 to fill the reserved seat or seats and a poll shall be taken only for filling the unreserved seat or seats.

(3) In cases other than those covered by sub-rules (1) and (2), a poll shall be taken for filling the vacancies.

22. *Presiding officers, polling officers and polling stations.*—(1) The Collector shall cause to be provided at every polling station a booth which shall consist of two parts, viz. (1) a polling room, and (2) a voting room with a screened partition.

(2) The Collector shall appoint a presiding officer to preside at each polling station to keep order thereat and to see that the election is fairly conducted. The Collector may also appoint such number of polling officers to assist the presiding officer as the Collector considers necessary.

(3) The village officers of each village within the constituency for which an election is held shall, unless prevented by sickness or other reasonable cause, be present at the election, from the beginning to the end thereof, and render the presiding officer such assistance as he may require in conducting it.

(4) There shall be affixed in some conspicuous place at every polling booth a copy of the voters' list pertaining to the polling station in which the booth is situate.

(5) The Collector may establish one polling station and appoint the same presiding and polling officers for elections to be held simultaneously.

23. *Form of voting papers.*—The voting paper shall be in the form prescribed in Schedule I and shall contain the names of all the duly nominated candidates in alphabetical order together with their respective symbols; the Returning Officer shall score out the name of any candidate who may have withdrawn or who has been declared elected under rule 19. The voting paper shall be made up into a bound book or books and shall be serially numbered, the serial number being printed on the foil and counterfoil of the back of the voting paper.

24. *Supply of ballot boxes and election materials.*—Every presiding officer shall be provided with a box for receiving the votes recorded at the polling station, a copy of the voters, list for the polling station, a bound book or books of voting papers in the form prescribed in Schedule I and such other materials as may be necessary for the purposes of the election.

25. *Sealing of ballot boxes.*—Before the commencement of the poll, the presiding officer shall show the ballot box empty to such candidates or their agents and such Government officials as may be present at the polling station, and shall then lock it up and seal it in such manner as to prevent its being opened without breaking the seal. The ballot box shall then be so placed in the voting room as to be within the presiding officer's view.

26. *Admission to polling booth.*—(1) The presiding officer shall admit to the polling room of the polling-booth (*a*) the candidates and one agent of each candidate (hereinafter referred to as the polling agent) appointed in writing by the candidate and authorised in that behalf by the Returning Officers, (*b*) the polling officers, the police, the village officers and other public servants on duty, (*c*) necessary attendants of infirm voters, and (*d*) such other persons as the presiding officer may from time to time admit for the purpose of identifying voters.

(2) The presiding officer shall regulate the admission of these persons to the polling room.

(3) No person other than the presiding officer and one voter at a time with one attendant if such voter is infirm and the attendant is necessary shall be permitted to enter the voting room.

27. *Voters to attend polling stations.*—Every voter desirous of recording his vote shall attend for the purpose at the polling station for the area relating to the voters' list in which he is entered on the date appointed for the election and between such hours as may be appointed by the Collector in this behalf under rule 6.

28. *Candidates and agent not to communicate with voters.*—(1) Candidates and their agents shall not speak to or address any voter in the polling room, but may only address the presiding officer in regard to objections to a voter on the following three grounds :—

(*i*) that his name is not on the list of voters of the constituency in respect of which the election is being held ;

(*ii*) that his claim to be a certain voter shown on the list of voters is false;

(*iii*) that he has already voted at the election.

(2) The presiding officer may cause any person contravening the provision of sub-rule (1) to be expelled from the polling room, and a person so expelled shall not be readmitted during the election.

29. *Issue of voting paper.*—No voting paper shall be issued before the opening hour or after the closing hour fixed for the recording of votes under rule 6 but any voter who has been given his voting paper before the closing hour shall be allowed to record his vote.

30. *Voting by proxy prohibited.*—There shall be no voting by proxy.

31. *Voting.*—(1) On receipt of his voting paper, the voter shall proceed to the voting room. He shall there mark in the space provided for the purpose in the voting paper one cross, and one cross only, opposite the name of each candidate for whom he wishes to vote. He shall have as many votes as there are members to be elected and the total number of crosses marked on the voting paper must not exceed the number of votes he has. After marking the paper, he shall fold it up so as to conceal his marking and put it, so folded up, in the ballot box.

(2) Only one voter shall be allowed in the voting room at a time and he shall leave the voting room immediately after recording his vote :

Provided that the presiding officer may, if he considers it necessary, permit an infirm voter to be accompanied by an attendant who may mark the voting paper for him.

32. *Assistance to voters.*—The presiding officer shall give such assistance as may be required to any voter who is under any disability which incapacitates him from voting in the manner prescribed.

33. *Voting by persons on duty at polling stations.*—(1) Any person on duty at a polling station at which he is not entitled to vote, may, if he is entitled to vote at any other polling station for that election, on production of a certification from the Returning Officer of the constituency for which he is entitled to vote together with a voting paper (both foil and counterfoil) of such constituency record his vote at the polling station at which he is on duty.

The name of the polling station at which he would otherwise have been entitled to vote shall be entered in the counterfoil of the voting paper, together with his number in the voters' list of the constituency in which that polling station is situated.

(2) All such voting papers shall be placed in an envelope and sealed by the presiding officer and returned with the certificate referred to in sub-rule (1) to the Returning Officer who granted the same for inclusion among the valid voting papers.

34. *Identity of voters.*—(1) When a voter presents himself at the polling station and is admitted in his turn into the polling room, the presiding officer or polling officer, if any, shall first ascertain from him by suitable questions his name, whether he is the person named in the list and whether he has already voted.

(2) When such officer is satisfied as to the correctness of the voter's name and that he has not already voted at that election he shall score out the voters' name from the voters' list and shall enter the voter's number and the constituency on the counterfoil of the voting paper. The voter shall then sign the counterfoil or if he is unable to sign shall make his thumb impression thereon. The officer shall then give the voter his voting paper.

(3) A voter refusing to answer any one of the questions referred to in sub-rule (*1*) shall not be supplied with a voting paper.

(4) The presiding officer shall decide any dispute as to the identity of any person claiming to be a voter.

35. *Tendered voting papers.*—If a person representing himself to be a particular voter entered in the list of voters applies for a voting paper after another person has voted as such voter, the applicant shall, after duly answering such questions as the presiding officer may ask, be given a voting paper and shall be entitled to mark the voting paper in the same manner as any other voter. Such voting paper shall be termed "Tendered Voting Paper" and shall, instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the list of voters and shall be enclosed in a separate packet. A list which shall be in the form prescribed in Schedule II and which shall bear the heading "Tendered Votes List" shall be maintained of the voting papers so tendered. The person tendering such voting paper shall sign his name and address or affix thumb impression against the entry in the list.

36. *Spoilt voting papers.*—A voter who has inadvertently dealt with his voting paper in such a manner that it cannot conveniently be used as a voting paper may, on delivering it to the presiding officer and satisfying him of the inadvertence, obtain another voting paper in the place of the spoilt paper, and the latter shall, together with its counterfoil, be marked as cancelled.

37. *Closing of poll : Despatch of voting papers.*—(1) The presiding officer shall, as soon as practicable after the close of the poll, in the presence of the village officers and of any candidates or polling agents who may be present, make up into separate packets, endorsing on each a description of its contents, and seal with his own seal and the seal of any candidate or polling agent who may desire to affix his seal :—

(*i*) each ballot box in use at the polling station, unopened but with the key attached ;

(*ii*) the unused voting papers ;

(*iii*) the tendered voting papers ;

(*iv*) the spoilt voting papers ;

(*v*) the marked copies of the list of voters ;

(*vi*) the counterfoils of the used voting papers ; and

(*vii*) the tendered votes list.

(2) The packets shall be forwarded forthwith by the presiding officer to the Returning Officer and shall be accompanied by a statement showing the number of voting papers entrusted to him and accounting for them under the heads of voting papers in the ballot box, voting papers tendered, voting papers unused, voting papers spoilt and voting papers dealt with under rule 33.

38. *Who may be present at counting of votes.*—No person shall be allowed to be present at the counting of votes except the Returning Officer, such persons as he may appoint to assist him in counting the votes, the candidates and their election agents.

39. *Counting of votes.*—(1) On the day and at the time and p lace fixed under rule 6 for the counting of votes, the Returning Officer shall proceed as follows :—

(*a*) The ballot box or boxes relating to each polling station shall be opened one after another, and the Returning Officer shall take out the paper therefrom, count them or cause them to be counted and record the number thereof in a statement. Such statement shall not be shown to any candidate or election agent.

(*b*) The Returning Officer shall then mix together all the voting papers so taken out from the ballot boxes and distribute them in convenient bundles to the persons appointed to assist in counting the votes.

(*c*) When the voting papers have been so distributed, but not before the Returning Officer shall allow the candidates and their agents reasonable opportunity to inspect, without handling, the voting papers. The Returning Officer shall endorse the word "rejected" on every voting paper which is wholly or partially rejected. If any candidate or election agent present questions the correctness of the rejection, he shall also record, on the voting paper, the grounds for the rejection. No candidate or election agent shall be allowed to see the serial number on the back of any voting paper.

(2) The Returning Officer shall reject any voting paper if the number of votes recorded thereon exceeds the number of members to be elected or if more than one vote has been recorded in favour of any one candidate. The Returning Officer may also reject any voting paper if it bears any writing or mark by which, in his opinion, the voter intended to be identified or if it is void for uncertainty.

(3) He shall count or cause to be counted the votes given to each candidate other than tendered votes.

(4) He shall, upon the completion of the counting seal up in separate packet endorsing on each a description of its content, the voting papers counted and the voting papers rejected. He shall not open the sealed packets of the tendered voting papers, the marked copies of the list of voters and the counterfoil of used voting papers ; but shall open the packets of unused voting papers and the packet containing the tendered votes list and spoilt voting papers, and shall verify the voting paper account given by each presiding officer by comparing it with the number of voting papers counted or rejected as aforesaid, the unused voting papers and the tendered voting papers as shown in the tendered votes list. He shall re-seal each packet after examination and record on each packet a description of its contents and the date of the election to which it refers and submit the same together with the return mentioned in sub-rule (5) to the Collector without delay.

(5) He shall prepare and certify a return setting forth—

(*i*) the result of the verification referred to in sub-rule (4) ;

(*ii*) the names of the candidates for whom valid votes have been given ;

(*iii*) the number of valid votes given for each candidate ;

(*iv*) the number of votes declared invalid ;

(*v*) the number of tendered votes given ;

and shall permit any candidate or his election agent to take a copy of or an extract from the return.

(6) The Returning Officer may at any stage adjourn the proceedings under this rule after giving notice of the date and hour at which proceedings will be resumed to such candidates or their election agents as may then be present.

40. *Declaration of results.*—(1) When in a constituency where the seats to be filled by taking poll do not include any reserved seat the counting of the votes has been completed, the Returning Officer shall forthwith by an order in writing declare the candidate or candidates in each constituency to whom the largest number of valid votes has been given to be elected and shall submit a copy of his order without delay to the Collector. He shall at the same time cause a copy of the order to be affixed at some conspicuous place in the office of the Mamlatdar or Mahalkari, as the case may be.

(2) If the Returning Officer finds that (*a*) there is an equality of votes in favour of two or more candidates in a constituency who have the highest number of valid votes, or (*b*) there is no candidate with valid votes in some or all the constituencies he shall forthwith submit a detailed report to the Collector.

40-A. (1) When in a constituency, where the seats to be filled by taking poll include a reserved seat or reserved seats, the counting of votes has been completed, the Returning Officer shall, forthwith by an order in writing, first declare that one or those, of the candidates qualified to fill such seat or seats to whom the largest number of valid votes has been given to be elected to fill the reserved seat or seats and shall submit a copy of his order without delay to the Collector. He shall at the same time cause a copy of the order to be affixed at some conspicuous place in the office of the Mamlatdar or Mahalkari, as the case may be.

(2) If the Returning Officer finds that (*a*) there is an equality of votes in favour of two or more candidates qualified to be chosen to fill a reserved seat or seats in a constituency who have the highest number of valid votes or (*b*) there is no such candidate with valid votes in some or all such constituencies, he shall forthwith submit a detailed report to the Collector.

(3) The Returning Officer shall thereafter follow the procedure laid down in rule 40 as regards unreserved seats, if any, in the constituency.

41. *Publication of names of persons appointed under section 18.*—A copy of every order made by the Collector or by the Commissioner, as the case may be, under section 18 shall be in writing and dated and shall forthwith be affixed at some conspicuous place in the office of the Mamlatdar or Mahalkari, as the case may be.

42. *Multiple elections.*—(1) If any person is elected by more than one constituency of the same local board he shall by notice in writing signed by him and delivered to the Returning Officer within seven days from the date of the publication of the result of such election under section 21 choose for which of these constituencies he shall serve, and on such choice having been made, the result of the election shall, in every other constituency by which such person was elected, be determined as if no votes had been recorded for him.

(2) If such person does not make the choice referred to in sub-rule (*1*), the election of such persor by all such constituencies shall be void and the results of the election by all such constituencies shall be determined as if no votes had been recorded for him.

43. *Custody of election papers.*—The Collector shall retain in his custody the return and the packets referred to in rule 37 and all other documents relating to the election.

44. *Production and inspection of election papers.*—(1) While in the custody of the Collector the packets of voting papers whether counted, rejected or tendered, and of the counterfoils thereof, shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court; provided that if the packets of counterfoils of voting papers have not been destroyed under the provisions of rule 45 they may, on an application made to the Collector in that behalf, be opened and their contents may be produced or inspected after the expiry of the period allowed for making applications under section 19 (*1*).

(2) All other documents relating to an election in the custody of the Collector shall be open to public inspection.

45. *Destruction of election papers.*—On the expiry of fifteen days from the date of the declaration of the result of the election, or if any application regarding the election is made under section 19 and such application is not finally disposed of, before the expiry of the said fifteen days, then whenever such application has been finally disposed of, all the voting papers and all other papers relating to an election shall be destroyed.

Provided that if any application for production or inspection of the counterfoils of voting papers has been made under rule 44, such counterfoils shall not be destroyed till the applicant has had a reasonable opportunity of inspecting them.

46. *Casual vacancies.*—On receipt of a report from the President of a local board regarding the occurence of a vacancy under section 32 (*1*) of the Act, the Collector shall fix a date, as soon as conveniently may be, for the holding of a by-election to fill the vacancy. The above rules shall apply, with such modifications as may be necessary, to such by-election.

47. *Interpretation in case of doubt.*—If any question arises as to the interpretation of these rules, the question shall be referred for the decision of the Collector, and his decision shall be final.

SCHEDULE I.

FORM OF VOTING PAPER.

(*See* rule 23.)

District Local Board of

Voting paper.

Counterfoil

Serial No.

Outerfoil

(Front)

	Name of candidate	Cross ×	Symbol
1. Constituency	1		
2. No. of polling station.	2		
3. No. of voters' list	3		
4. Signature or thumb impression	4		
	5		

(Back of Outerfoil.)

Please read this carefully before recording your vote(s).

(1) You have.....vote(s).

(2) One cross means one vote.

(3) Do not put more than one cross opposite the name of anyone candidate.

(4) Do not put more than ..... cross(es) in all.

Serial No.

SCHEDULE II.

TENDERED VOTES LIST.

(*See* rule 35.)

District Local Board of

Polling Station.

Name of Constituency	Name of voters	Number in voters' List.	Number of votes recorded.	Signature or Thumb impression of voters.

SCHEDULE III.

FORM OF NOMINATION PAPER.

(*See* rule 8.)

District Local Board of

Name of the Constituency for which the candidate is nominated

Name of candidate

Father's name

Age

Address

Denomination of candidate : (In the case of a constituency in which seat is reserved for Muslim, Harijans, Indian Christians, Backward Tribes, Anglo-Indians or Europeans and women state whether belonging to the community or communities for which the seat or seats are reserved. If Harijans or member of a Backward Tribe state the caste)

Constituency on the voters' list of which the candidate is registered as a voter.

No. of the candidate in the list of voters of the constituency in which he is registered as a voter

Name of proposer

No. of the proposer in the list of voters of the constituency

Signature of the proposer

Name of the seconder

No. of the seconder in the list of voters of the constituency

Signature of the seconder

Declaration by Candidate.

I hereby signify my willingness to serve if I am elected.

Date

Signature of Candidate.

Certificate of Scrutiny.

I have scrutinised the eligibility of the candidate, the proposer and seconder and find that they are respectively qualified to stand for election, to propose and to second the nomination.

Returning Officer or the authorised person.

APPENDIX A.

List of approved Symbols for Purposes of District Local Board Elections.

(1) Elephant ; (2) Bullock ; (3) Sword ; (4) Cart ; (5) Scales ; (6) Hand ; (7) Tree ; (8) Horse ; (9) Snake ; (10) Bird ; (11) Fish ; (12) Bicycle ; (13) Man ; (14) Ganpati ; (15) Moon ; (16) Sun ; (17) Tiger ; (18) Umbrella ; (19) Motor Car ; (20) Dog ; (21) Ship.

G. N., G. D., No. 4456, dated 24th January 1924. S. 133 (c).

Amended by G. N., G. D., No. 4456, dated 21st January 1926.

Amended by G. N., G. D., No. 4456, dated 15th November 1927.

Amended by G. N., G. D., No. 4456, dated 1st November 1928.

Amended by G. N., G. D., No. 4456, dated 15th January 1934.

Amended by G. N., G. D., No. 2101/33 dated 26th March 1938.

Amended by G. N., H. & L. G. D. No. 2662/33 (a), dated 25th July 1947.

Amended by G. N., G. D., No. 4456 dated 28th September 1948.

Amended by G. N., G. D., No. 2662/33 dated 3rd June 1949.

In exercise of the powers conferred by clause (c) of section 133 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), and in supersession of so much of Government Notifications in the Revenue Department, No. 9248, dated the 21st November 1884, and No. 78, dated the 7th January 1886, as subsequently amended, as relates to the manner in which the business of local boards shall be conducted, the Government of Bombay is pleased to make the following rules prescribing conditions as to the manner in which the business of local boards shall be conducted, namely :—

1. *Local Boards not to delegate certain powers and duties to Committee and President.*—The powers and duties of local boards prescribed by the sections of the Act, specified in clause (*a*) and the powers of local boards prescribed by section 47 (except in respect of dead stock articles) and specified in clause (*b*) shall be exercised and performed by local boards alone and shall not be delegated to any Committee appointed or President elected by them under the Act :—

(*a*) Sections 37, 38, 44, 46, 59, 62, 76, 86, 88 (*1*) 93, 94, 99, 100, 102, 103, 119 and 123 ; and

(*b*) (*i*) Power to acquire and hold immovable property except trees and grass ;

(*ii*) Power to sell or transfer, otherwise than by lease, immovable property except trees and grass ;

(*iii*) Power to acquire and hold moveable property ;

(*iv*) Power to enter into contracts the amount or value of which exceeds Rs. 2,500 ;

(*v*) Power to sue :

Provided that—

(*a*) the power to enter into contracts may be delegated to—

(1) the Standing Committee of District Local Boards as regards contracts the amount or value of which exceed Rs. 500 but does not exceed Rs. 5,000 ;

(2) the President, District Local Board, as regards contracts the amount or value of which does not exceed Rs. 500 ;

(3) the President, Taluka Local Board, as regards contracts the amount or value of which does not exceed Rs. 200 ;

(*b*) the power to acquire, sell or otherwise dispose of moveable property may be delegated to—

(1) the Standing Committee of District Local Board as regards moveable property the amount or value of which exceeds Rs. 200 ;

(2) the President, District Local Board, as regards moveable property the amount or value of which does not exceed Rs. 200 :

Provided further that Standing Committees of District Local Boards may approve and sanction reappropriations of funds in a budget estimate subject to any regulation made by the District Local Board in this respect under section 35 of the Act.

1-A. Notwithstanding anything contained in rule 1 all powers vested in the District Local Board shall be exercised by the President in consultation with the Engineer of the Board in respect of village water supply works entrusted by Government to the District Local Board for execution :

Provided that all tenders and contracts for works estimated to cost more than Rs. 5,000 but less than Rs. 10,000 each shall be sanctioned by the Standing Committee of the Board :

Provided further that tenders and contracts for works estimated to cost more than Rs. 10,000 each shall be sanctioned the Government Executive Engineer.

1-B. *Power to punish or dismiss the Chief Officer, Engineer, the Supervisor or the Accountant.*—Power to punish or dismiss the Chief Officer, the Engineer, the Supervisor or the Accountant shall be exercised and performed by local boards alone and shall not be delegated to any Committee appointed or President elected by them under the Act.

1-C. *Local Boards not to delegate certain powers and duties to Committees.*—The powers and duties of local boards prescribed by section 120 of the Act shall be exercised by local boards alone and shall not be delegated to any committee appointed by them under the Act.

2. *Correspondence by or with local boards.*—Correspondence by or with local boards shall be conducted through their respective presidents, or, if any local board appoints a chief officer or secretary, through such chief officer or secretary, provided that the media of correspondence between local boards and the Commissioner or the State Government shall be the presidents or vice-presidents of the district local board and the Collector of the district and such correspondence shall be in English or the regional language of the district.

3. *Suits by or against local boards.*—No taluka local board shall institute or defend a suit or other proceeding in any civil court without the previous sanction of the district local board to which it is subordinate.

No such sanction shall be given by a district local board and no suit or other proceeding in a civil court in which a district local board is itself concerned shall be instituted or defended, except under the authority of a resolution of the district local board passed at a general meeting thereof.

4. *Tenders to be publicly invited before contracts are entered into.*—(1) Before any contract for the supply of materials or for the execution of any work, the cost of which is estimated to exceed Rs. 2,500, is entered into by a local board, tenders shall

be publicly invited, by advertisement in one or more of the local newspapers, if any, and in such other manner as the board thinks fit, from persons willing to enter into such contract.

(2) The local board shall not bind itself, and shall not be bound to accept the lowest or any tender, but, as a rule, the lowest tender received from a trustworthy person shall be accepted.

G. N., G. D., No. 9394, dated 18th December 1935.

S. 133 (c), (f) & (h). Bombay Local Boards Account Code, 1935.

Amended by G.N., G.D., No. 2101/33, dated 26th March 1938.
Amended by G.N., G.D., No. 9394, dated 7th June 1938.
Amended by G.N., G.D., No. 9394, dated 10th September 1938.
Amended by G.N., G.D., No. 2662/33, dated 12th December 1938.
Amended by G.N., G.D., No. 2662/33, dated 7th February 1940.
Amended by G.N., G.D., No. 2662/33, dated 18th April 1941.
Amended by G.N., G.D., No. 2662/33, dated 8th June 1943.
Amended by G.N., G.D., No. 2662/33, dated 18th December 1944.
Amended by G.N., G.D., No. 2662/33, dated 21st July 1945.
Amended by G.N., H & L.G.D., No. 2662/33, dated 25th July 1947.
Amended by G.N., H. & L.G.D., No. 2662/33, dated 12th August 1949.
Amended by G.N., H. & L.G.D., No. 9394, dated 12th August 1949.
Amended by G.N., L.S.G. & P.H.D., No 2662/33, dated 20th February 1950.

In exercise of the powers conferred by clauses (*c*), (*f*) and (*h*) of section 133 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), and in supersession of the rules sanctioned in Government Resolution, General Department, No. 3666, dated the 27th September 1928, as subsequently amended, the Government of Bombay are pleased to make the following rules :—

THE BOMBAY LOCAL BOARDS ACCOUNT CODE.

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